

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services –Revenue Department – Allegation of corruption against Sri Bhukya Panth, former Special Tahsildar, National Small Savings, Warangal District – Trapped on 17.11.2007 - Disciplinary proceedings under rule 20 of APCS (CC&A) Rules, 1991 read with rule 9 of A.P. Revised Pension Rules, 1980 initiated on the charges of allegation of corruption and also on violation of conduct rules – Entrusted the case to COI –Enquiry Report – Representation filed – Exonerated – Orders – Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No. 1185

Dated: 26-7-2013

Read the following:-

1. From the D.G., ACB, Hyd. Letter Rc. No. 226/RCT-WWL/2007 Dt.26.9.2008
2. From Sri B. Panth, retired Tahsildar, representation, dt: 2.2.2009.
3. G.O.Rt.No.1291, Rev. (Vig.II) Deptt., dt.28.8.2009.
4. G.O.Rt.No.1301, Rev. (Vig.II) Deptt., dt.10.9.2010.
5. From Sri B. Panth, Retd. Tahsildar, written statement of defence, dt: 3.11.2010.
6. G.O.Rt.No.267, Revenue (Vig.II) Dept. dt. 28-2-2011
7. G.O.Rt.No.268, Revenue (Vig.II) Dept. dt. 28-2-2011
8. G.O.Rt.No.1476, Revenue (Vig.II) Dept. dt.14-12-2011
9. From Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries and Inquiring Authority, D.O. Letter No.391/COI.LP/2011-1, Dt: 9.10.2012.
10. Govt. Memo No. 63858/Vig.II(2)/2007 dt.9-1-2013
11. Representation dt. 6-2-2013 of Sri B. Panth, Tahsildar (Retd.)

ORDER:-

It has been brought to the notice of the Government by its investigation agency ie., Anti-Corruption Bureau, relating to allegations of corruption ie., demand and acceptance of bribe of 1500/- from the complainant on 17.11.2007 by Sri B. Panth, Special Tahsildar (NSS), Collectorate, Warangal for doing an official favour ie, to hand over the two Demand Drafts worth Rs.9,000/- in favour of the wife of the complainant. Accordingly, in the reference 1st read above, the Director General, Anti-Corruption Bureau has furnished final report along with his recommendations for prosecution of the Accused Officer in a court of law and to initiate departmental action for violation of conduct rules for failure of the Accused Officer for not submitting the APRs throughout his service. In the reference 2nd read above, Sri B. Panth, retired Tahsildar has submitted representation and Government after examination of the matter, have decided to conduct the enquiry through the Commissioner of Inquiries.

2. Accordingly, in the references 3rd & 4th read above charges were framed against Sri B. Panth, Tahsildar, on the allegation of violation of conduct rules for not submitting Annual Property Returns and also on the allegation of corruption respectively, with a direction to submit his written statement of defence. Sri B. Panth, retired Tahsildar has submitted his written statement of defence on the two counts vide reference 5th read above.

3. Government after careful examination of the matter, have decided to proceed with Commissioner of Inquiries enquiry. Accordingly, appointed Sri Jhanak Raj, IPS (Retd.), Member, Commissioner of Inquiries as the Inquiring Authority to conduct enquiry into the charges framed against the Accused Officer ie., on the allegation of corruption and also on violation of

(P.T.O)

conduct rules, vide reference 6th read above. Sri Sarva Srinivasa Rao, Advocate was appointed as Presenting Officer to present the case, vide reference 7th read above. Subsequently, the case has been re-assigned to Sri Lingaraj Panigrahi, IAS, Member, Commissioner of Inquiries and accordingly orders were issued, vide reference 8th read above.

4. In the reference 9th read above, the Inquiring Authority has furnished inquiry report and held that the charge-I relating to allegation of corruption is held proved and the charges-II relating to violation of conduct rules is not held proved. In the reference 10th read above, Government have communicated a copy of the Inquiry Report to Sri Bhukya Panth, formerly Special Tahsildar (Retired) for his representation on the findings of the Inquiring Authority, for taking further action in the matter.

5. In the reference 11th read above, Sri Bhukya Panth, Tahsildar (Retired) has submitted his representation stating that the findings of the Inquiring Authority in respect of Charge-I is merely based on presumptions and assumptions, but not based on the material available on records. As per the version of the Anti-Corruption Bureau Officials that the brown colour cover was recovered from the bunch papers; whereas, the version of Sri R.Satyanarayana, PW4 Mediator of trap party, deposed before the Inquiring Authority that the cover was found on the table, thus the version of the Anti-Corruption Bureau is in variation. As such, it cannot be said that he had demanded and accepted the bribe amount just because a brown colour containing some currency notes was recovered on the table in his absence by the complainant, when he been to call of nature. The sodium carbonate solution test conducted on him gave negative result and the Anti-Corruption Bureau Official also deposed before the Inquiring Authority that there was no evidence to show that he had enjoying bad reputation. He has requested to drop further action in the matter.

6. Government have examined the representation together with the material available and observe that the Accused Officer Sri Bhukya Panth, Tahsildar, was not caught red-handed in the case. It is not clear, as to why the complainant kept the amount (Rs.1500/-) in the envelope given by the Accused Officer, as claimed by the prosecution, when the Anti-Corruption Bureau raid party instructed the complainant clearly to hand over the cash to him. In the circumstances Government have decided to exonerate Sri Bhukya Panth, Tahsildar (Retired) from the charges.

7. Accordingly, Government hereby exonerate Sri Bhukya Panth, Tahsildar (Retired) from the charge of allegation of corruption and also of violation of conduct rules in the case.

8. The Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Bhukya Panth, formerly Tahsildar,
NSS, Collectorate, Warangal District (Now Retired)
through the Special Chief Secretary &
Chief Commissioner of Land Administration, Hyderabad.
The Special Chief Secretary &
Chief Commissioner of Land Administration, Hyderabad.
(with a request to serve the above G.O. on the individual
and furnish the dated acknowledgement to the Government.)

(Contd....P...3)

::3::

Copy to:

The District Collector, Warangal.

The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Accountant General, Andhra Pradesh Hyderabad.

The Director of Treasuries and Accounts, Andhra Pradesh, Hyderabad

Revenue (Services.III) Department,

PS to Principal Secretary Revenue Department.

Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER